

Honorable John C. Coughenour

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON CATTLEMEN’S ASSOCIATION,)	
)	Civil Action No. 2:19-cv-00569-JCC
Plaintiff,)	
v.)	
)	PLAINTIFF’S UNOPPOSED MOTION
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY; et al.,)	FOR A WAIVER FROM LOCAL
)	CIVIL RULE 83.1(d)(2)
Defendants,)	
)	Note on Motion Calendar:
PUGET SOUNDKEEPER ALLIANCE,)	December 21, 2022
IDAHO CONSERVATION LEAGUE, and)	
SIERRA CLUB,)	
)	
Defendant-Intervenors.)	
)	
)	

Counsel for Plaintiffs respectfully move this Court to waive its requirement for local counsel to maintain a physical office in this district, in this case. Local Counsel Ethan W. Blevins, a member of this Court's bar, sponsored the application of PLF attorney Charles T. Yates to appear before this Court *pro hac vice*. See ECF No. 102 (application) and ECF No. 103 (order granting application). According to the Local Civil Rules of this Court, local counsel must maintain a physical office within the boundaries of the Western District of Washington. See Local Rules W.D. Wash. LCR 83.1(d)(2).

Pacific Legal Foundation will no longer maintain a physical office meeting the requirements of LCR 83.1(d)(2), effective December 30, 2022. PLF is closing its office in Seattle for economic reasons and PLF staff formerly associated with the Seattle office will work from home.

Mr. Blevins will continue to fulfill all responsibilities as local counsel. He is able and prepared to appear in this Court as needed. He will continue to review, sign, and efile all documents. And he will continue to ensure that all filings comply with the local rules of this Court. See LCR 83.1(d)(2). Mr. Blevins' signature will appear above PLF's administrative headquarters address in Sacramento if a waiver is granted. A Notice of Change of Address will be filed for Mr. Blevins if this waiver is granted.

The current posture of this case also supports granting the waiver, obviating the other possible course of action—that is, substituting local counsel and refiling Mr. Yates' *pro hac vice* application. In anticipation of Federal Defendants' publishing a new regulation to define "navigable waters," the case is currently stayed until January 20, 2023. ECF No. 113. And Plaintiff is considering the possibility of requesting a further stay upon publication of that new regulation. Plaintiff believes that this action can be continued in its current posture, without requiring local counsel to maintain a physical office address within the Western District of Washington.

Pursuant to LCR 7, Plaintiff's counsel contacted counsel for the Federal Defendants and Defendant-Intervenors on December 21, 2022, to solicit their positions on this motion. Federal Defendants and Defendant-Intervenors take no position on Plaintiff's motion.

DATED: December 21, 2022.

Respectfully submitted,

s/ Ethan W. Blevins

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s/ Charles T. Yates**

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**Admitted Pro Hac Vice*

**Contents of this notice are acceptable to counsel and counsel has permitted his signature to be included.

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on December 21, 2022, I electronically filed the foregoing document with the Clerk of the Court via the CM/ECF system, which will cause a copy to be served upon counsel of record.

s/ Ethan W. Blevins
ETHAN W. BLEVINS